



HF/3624

Docket No.: E3331.0423/P423  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Edward R. Howorka, et al.

Application No.: 09/603,523

Confirmation No.: 9886

Filed: June 23, 2000

Art Unit: 3624

For: ARCHITECTURE FOR ANONYMOUS  
TRADING SYSTEM

Examiner: S. Karmis

Handwritten initials and numbers: 16, 13, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

PETITION TO WITHDRAW FINALITY OF OFFICE ACTION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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Dear Sir:

Applicants hereby petition the Commissioner to instruct the Examiner to withdraw the final nature of the Office Action mailed September 12, 2003.

In the last Office Action, mailed December 16, 2002, the Examiner had rejected, *inter alia*, claim 1 as unpatentable over Togher et al. in view of Hartheimer et al. In our responsive Amendment, the applicants explained why the Examiner's rejection was improper. The applicants did not, however, make any amendments to the claims.

In the final Office Action mailed September 12, 2003, the Examiner has withdrawn his prior rejection over Togher et al. in view of Hartheimer et al. and has substituted a new rejection based on Togher et al. and Official Notice. In this rejection, the Examiner takes Official Notice of certain features of applicants' invention and uses this Official Notice, in combination with Togher et al., to reject, *inter alia*, claim 1 as obvious.

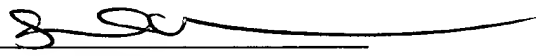
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Such a new ground of rejection was not caused by any claim amendments made by the applicants. Accordingly, the Examiner's final rejection is premature and should be withdrawn.

Dated: September 22, 2003

Respectfully submitted,

By   
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